

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

BRENDA FARROW,)
)
 Plaintiff,) No. 3:13-cv-0239
)
 v.) Judge Sharp
) Magistrate Judge Bryant
 COMPREHENSIVE PAIN SPECIALISTS,)
 REBECCA PIERCE,)
)
 Defendants.)

ORDER

Pending before the Court is a Report and Recommendation (“R & R”) of the Magistrate Judge, concluding,

The record indicates that the copy of this order to show cause¹ mailed to Plaintiff has been returned by the post office marked “MOVED LEFT NO ADDRESS - UNABLE TO FORWARD - RETURN TO SENDER” (Docket Entry Nos. 15 and 16). It therefore appears from the record that Plaintiff Farrow has failed to obtain service of process upon the Defendants within the time provided by Rule 4(m) of the Federal Rules of Civil Procedure, that she has failed to seek an extension of time within which to obtain service of process and has further failed to show good cause for her failure. Finally, it appears that Plaintiff has failed to keep the Clerk informed of her current mailing address.

(Docket Entry No. 17 at 1-2). Therefore, the Magistrate Judge recommended, “Plaintiff’s complaint be DISMISSED with prejudice pursuant to Rule 41(b) of the Federal Rules of Civil Procedure.” (*Id.* at 2).

¹ On October 17, 2013, Magistrate Judge Bryant entered an *Order to Show Cause* requiring Plaintiff to show cause why her Complaint should not be dismissed for her failure to obtain service of process upon Defendants in this case. The Order required Plaintiff to make a showing no later than November 1, 2013. The Order further admonished Plaintiff that her failure to respond may cause the Magistrate Judge to recommend that her Complaint be dismissed. *See* (Docket Entry No. 13).

No response in opposition was filed to the R & R.² Having thoroughly reviewed the record in this case and the applicable law in accordance with Rule 72(b), the Court will accept the R & R of the Magistrate Judge.

Accordingly, the Court hereby rules as follows:

- (1) The Report and Recommendation (Docket Entry No. 17) is hereby ACCEPTED and APPROVED; and
- (2) This case is hereby DISMISSED WITH PREJUDICE.

The Clerk is directed to enter Judgment in a separate document in accordance with Federal Rule of Civil Procedure 58.

It is SO ORDERED.



KEVIN H. SHARP
UNITED STATES DISTRICT JUDGE

² The Report and Recommendation was returned as undeliverable to the Clerk's Office. *See* (Docket Entry Nos. 19 and 20).